

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
DIVISION

U.S. DISTRICT COURT
MIDDLE DISTRICT OF TN

Rafaela Funes
1521 Luton St.
Nash, TN 37207
Name of Plaintiff

v.

Case No. _____
(To be assigned by Clerk)

Jury Demand ☐ Yes ☐ No

Electrolux Home Products
1100 Industrial Dr.
Springfield TN 37172
Name of Defendant(s)

COMPLAINT UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964

1. This action is brought pursuant to Title VII of the Civil Rights Act of 1964, and the Civil Rights Act of 1991, for employment discrimination. Jurisdiction is specifically conferred upon the Court by 42 U.S.C. § 2000e-5, or, if the Plaintiff is a federal employee, by 42 U.S.C. § 2000e-16. Relief is sought under 42 U.S.C. § 2000e-5(g) and/or 42 U.S.C. § 1981a(b).

2. Plaintiff, Rafaela Funes ^{Legal permanent resident} is a citizen of the United States and resides at
1521 Luton Street, Nashville,
Street address City
Davidson, TN, 37207,
County State Zip Code Telephone Number

3. Defendant, Electrolux Home Products resides at, or its business is located at
1100 Industrial Dr., Springfield,
Street address City
Robertson, TN, 37172,
County State Zip Code

(If more than one Defendant, list the name and address of each additional Defendant)

NONE

4. Plaintiff sought employment from the Defendant or was employed by the Defendant at

1100 Industrial Dr. Springfield
 Street address City
 Robertson TN 37172
 County State Zip Code

5. Defendant discriminated against Plaintiff in the manner indicated in paragraphs 8 and 9 of this Complaint on or about August 10 2014
 Month Day Year

6. Plaintiff filed charges against the Defendant with the Tennessee Human Rights Commission or the Equal Employment Opportunity Commission charging the Defendant with the acts of discrimination indicated in paragraphs 8 and 9 of this Complaint on or about August 15 2014
 Month Day Year

7. The Equal Employment Opportunity Commission or the United States Department of Justice issued a Notice of Right to Sue which was received by Plaintiff on August 15 2014
 Month Day Year, a copy of which Notice is attached.

8. Because of Plaintiff's (1) Hispanic race, (2) _____ color, (3) _____ sex, (4) _____ religion, (5) _____ national origin, the Defendant:

- a. _____ failed to employ Plaintiff.
- b. ☒ terminated Plaintiff's employment.
- c. _____ failed to promote Plaintiff.
- d. _____ retaliated against Plaintiff for having filed a charge of discrimination.
- e. _____ other. Explain: _____

9. The circumstances under which Defendant discriminated against Plaintiff were as follows:

I in NO way did I make racial remarks about any Caucasians or Afro Americans. I was laid off or Fired by a line Lead, Not by human resources. I was not call even to HR to see what was the complaint about.

(You may use additional paper, if necessary.)

10. The acts set forth in paragraph 8 of this Complaint:

- a. _____ are still being committed by Defendant.
- b. ☒ are no longer being committed by Defendant.
- c. _____ may still be being committed by Defendant.

11. Plaintiff attaches to this Complaint a copy of the charges filed with the Tennessee Human Rights Commission or the Equal Employment Opportunity Commission, which charges are submitted as a brief statement of the facts supporting this Complaint.

WHEREFORE, Plaintiff prays that the Court grant the following relief:

- a. _____ direct that Defendant employ Plaintiff, or
- b. _____ direct that Defendant re-employ Plaintiff, or
- c. _____ direct that Defendant promote Plaintiff, or
- d. _____ order other equitable or injunctive relief: _____

- _____
- e. _____ direct that Defendant pay Plaintiff back pay in the amount of _____ and interest on back pay;

- f. _____ direct that Defendant pay Plaintiff compensatory damages: Specify the amount and basis for compensatory damages: _____

- g. _____ direct that Defendant pay Plaintiff punitive damages in the amount of 6,000 because Defendant engaged in a discriminatory practice or practices with malice or with reckless indifference to Plaintiff's federally protected rights, as described in paragraphs 8 and 9 above; and that the Court grant such other relief as may be appropriate, including costs and attorney's fees.

x Rafaela Jones
(Signature of Plaintiff)